

### **Remarks**

Claims 1-4 are pending in the present application. Independent Claims 1 and 4 have been amended to claim the present invention with greater specificity. Specifically, the claims now recite a woven matrix pattern of re-enforcing fibers that increase the structural strength of the sheet piling. Support for these amendments is found in Paragraph 21 of the specification which states “[t]he matrix may be a woven pattern whose design may vary to increase the strength of the finished product.”

1.) Rejection of Claims 2 and 3 under 35 U.S.C. §112 for Indefiniteness:

The Examiner has rejected Claims 2 and 3 as being indefinite. Specifically, dependent Claims 2 and 3 state that they depend from “Claim 19”. In response, these claims have been amended to state that they depend from “Claim 1”.

2.) Rejection of Claims 1-4 under 35 U.S.C. §102 for Anticipation:

The Examiner has rejected Claims 1-4 as being anticipated by Weyant (US Pat. 6,893,191). Specifically, the Examiner states that Weyant teaches a pultrusion method of manufacture that comprises: pulling fibers through a polyurethane bath; weaving/shaping/forming the fibers into a matrix; forming the sheet piling in a die; and curing the sheet piling.

In response, the Applicant notes that Weyant states “the coated fibers are formed to the proper shape using a forming guide or die.” *Col. 1, Lines 33 – 35*. Weyant does not teach, disclose or suggest weaving the fibers into a matrix pattern as claimed. Instead, Weyant only discloses forming a shape with a guide or die. This is basically molding the fibers in to a form instead of weaving a pattern for increased strength. Consequently, this rejection fails for at least this reason.

3.) Rejection of Claims 1-4 under 35 U.S.C. §103 for Obviousness:

The Examiner has rejected Claims 1-4 as being obvious over Ishida (US Pat. 5,294,461) in view of Irvine (US Pat. 6,000,883) and in further view of Cheolas (US Pat. 6,793,855) or Katoot (US Pat. 6,146,556). Specifically, the Examiner states that Ishida

teaches pulling fibers through a polyurethane bath; weaving/shaping the fibers into a matrix; forming the sheet in a die; and curing the sheet. The Examiner further states that Irvine, Katoot and Cheolas teach the use of extrusion and pultrusion techniques.

In response, the Applicant notes that Ishida teaches only forming a matrix by pultrusion. *See, Column 1, Lines 10-14.* As with Weyant discussed in previously in Section 2, Ishida does not teach, disclose or suggest weaving the fibers into a matrix pattern as claimed. Instead, Ishida only discloses forming a shape with a guide. This is basically molding the fibers in to a form instead of weaving a pattern for increased strength. Consequently, this rejection fails for at least this reason.

4.) Conclusion:

In view of the preceding amendments and remarks, all outstanding rejections of the pending claims have been overcome. Consequently, a favorable action in the form of a notice of allowance is respectfully requested. Please apply any additional fees or credits to Deposit Account #: 50-0954, Reference #: N1569-71511.

Respectfully Submitted,

<u>/davidmixon/</u>	<u>01/08/2007</u>
David E. Mixon	Date
Reg. No. 43,809	

Bradley Arant Rose & White LLP  
200 Clinton Ave. West, Suite 900  
Huntsville, AL 35801-4900

Telephone: (256) 517-5100  
Facsimile: (256) 517-5200